

STATE OF MISSISSIPPI



JIM HOOD
ATTORNEY GENERAL

May 21, 2013

Mr. Larry Page
Chief Executive Officer
Google Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043

Re: Invitation to Meet with Attorneys General

Dear Mr. Page:

I am in receipt of Google's April 19, 2013, letter regarding the questions asked by Attorneys General Ken Cuccinelli, David Louie and me, co-chairs of the Intellectual Property Theft Committee of the National Association of Attorneys General. Google's responses to our questions are insufficient and inadequate. I invite you and your general counsel to personally attend a meeting of the National Association of Attorneys General on June 18, 2013, at 1:30 pm at the Westin Copley Place, Boston, Massachusetts to answer these questions and any questions the attorneys general may pose.

Google has had ample opportunity to answer questions regarding its refusal to assist attorneys general in our efforts to curtail intellectual property theft online and the online sale of prescription and counterfeit drugs without a prescription. Google sent some employees who were evasive and attempted to give overly technical answers to simple questions to a meeting of the Intellectual Property Theft Committee (IP committee) last November. On February 13, 2013, the co-chairs of the IP committee sent a letter to Google. When there was no response, I sent another letter on April 1, 2013, to Kent Walker, General Counsel for Google, asking additional questions. In order to avoid more of the apparent obfuscation by Google, you need to be at the meeting to understand the gravity of these issues. I hope the problems you have had with your voice are better. We will understand if you attend and allow your general counsel to answer most of the questions.

The following points are examples of inadequacies in Google's reply, but by no means do they represent an exhaustive list. Please be prepared to at least address these points at the meeting.

Content Removal - Google claims to only remove content from its search results in a narrow set of circumstances. The phrase "narrow set of circumstances" seems misleading. Google's own policies on child exploitation state, "we block search results that lead to child pornography. This is a legal requirement and the right thing to do." However, Google also removes other types of content. For instance, Google removes content from its German portal that glorifies the Nazi party on google.de or insults religion on google.co.in in India. Why will Google not remove websites or de-index known websites that purport to sell prescription drugs without a prescription or provide pirated content? Content removal can be done, but it appears Google is unwilling to remove content related to the purchase of prescription drugs without a prescription or the downloading of pirated movies and songs.

Auto Complete - Google claims in its April 19th letter that "the predictions that appear in auto complete are an algorithmic reflection of query terms that are popular with our users and on the internet. Google does not manually select these terms or determine what queries are considered related to each other." This statement is misleading. For example, a user cannot type in "free child" and receive an auto complete of the words "porn" or "pornography." Google blocks an auto complete of the phrase "free child porn." However, the phrase "buy oxycodone online" is autocompleted with the words "no prescription cod." Google states in its April 19th letter that removing generic terms such as "prescription" or "online" is vastly overbroad. The issue is not about these words as stand-alone search terms, but phrases that facilitate known illegal behavior. For example, if you type in "buy oxycod," the auto complete will provide "buy oxycodone online no prescription cod" as one of the choices. Another example is typing in "watch movies free so" and auto complete supplies "watch movies free solar." Solarmovie is a known rogue website. The suggested search term by Google, "solar," results in extensive sites containing infringing content on the first page of results. Can Google not remove phrases from auto complete such as "buy oxycodone online no prescription cod" or "watch movies free solar" without removing stand-alone terms?

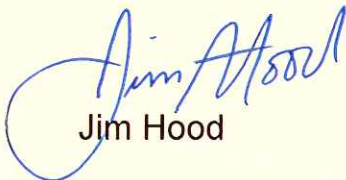
Digital Millennium Copyright Act Notices - Google has repeatedly stated that "sites with high numbers of removal notices may appear lower in our results." However, websites that continue to appear very prominently in Google search results are the same websites highly listed on Google's Transparency Report. For example, single searches for a popular new DVD released film results in the website torrentz.eu on the first hit of the search. Torrentz.eu has received over 2,103,239 URL removal requests according to Google's Transparency Report.

Role of search engines in curbing sale of counterfeit pharmaceuticals - Google does not mention the role of "search" at all in response to this question implying that search is not an issue of concern despite what is mentioned above. Moreover, Google does not mention its platform YouTube and the role of search and advertising on YouTube in promoting illegal activities. For example, users can search for and view videos purporting to sell prescription drugs without a prescription and other illegal activities all while viewing paid advertisements. What steps is Google taking to address advertising in conjunction with illicit videos on YouTube?

By blocking results for search terms like child porn, it is obvious that the technology exists for Google to block other terms that direct consumers to dangerous and illicit websites. I understand that Google takes the position that the auto complete suggestions are based upon the number of times users type in these terms. However, when this position is viewed from the perspective of attorneys general, who are duty-bound to enforce their consumer protection laws and other civil and criminal statutes, Google is aiding and abetting by allowing its autocomplete feature to lead and even encourage its users to illegal activity. This is of grave concern to the chief law enforcement officers of this nation.

If you have questions about the format of the meeting, please contact Special Assistant Attorney General Blake Bee in my office at (601) 359-3680. At the conclusion of the June 18 meeting, if Google does not provide adequate answers or unresponsive answers, I will call on all of my fellow attorneys general to issue civil investigative demands to Google to produce documents and answer questions about Google's dangerous conduct. I certainly hope this is not necessary. I hope you will attend the meeting and advise us that the above mentioned activity has ceased and announce a 24-hour link through which attorneys general's de-indexing requests are granted or addressed within hours.

Sincerely yours,



Jim Hood

Cc: Kent Walker